

PETER M. HART (State Bar No. 198691)
hartpeter@msn.com
AMBER S. HEALY (State Bar No. 232730)
ahealy.lope@gmail.com
LAW OFFICES OF PETER M. HART
12121 Wilshire Blvd, Suite 205
Los Angeles, California 90025
Telephone: (310) 478-5789
Facsimile: (509) 561-6441

Attorneys for Plaintiffs Gary Minor and Banipal Shabaz,
Narek Eloyan, Shehan Bederian, Michael Macias

*Additional Plaintiffs' counsels are listed on the following page

THOMAS MCINERNEY (State Bar No. 162055)
tmm@ogletreedeakins.com
GREGORY CHENG (State Bar No. 226865)
gregory.cheng@ogletreedeakins.com
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
Steuart Tower, Suite 1300, One Market Plaza
San Francisco, California 94105
Telephone: (415) 442-4810
Facsimile: (415) 442-4870

Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY MINOR and BANIPAL SHABAZ, as
individuals and on behalf of all others similarly
situated,

Plaintiffs,
vs.

FEDEX OFFICE AND PRINT SERVICES,
INC., a corporation,

Defendant.

CASE NO. C 09-01375 TEH

**NOTICE OF SETTLEMENT; JOINT
STIPULATION AND [PROPOSED] ORDER
TO VACATE CASE MANAGEMENT
CONFERENCE AND SET DEADLINE FOR
PLAINTIFFS' FILING FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

ADDITIONAL PLAINTIFFS' COUNSEL:

ERIC HONIG (State Bar No. 140765)
LAW OFFICE OF ERIC HONIG
P.O. Box 10327
Marina del Rey, California 90295
Telephone: (310) 314-2603
Facsimile: (310) 314-2793
erichonig@aol.com

KENNETH H. YOON (State Bar No. 198443)
kyoon@yoon-law.com
LAW OFFICES OF KENNETH H. YOON
One Wilshire Blvd., Suite 2200
Los Angeles, California 90017
Telephone: (213) 612-0988
Facsimile: (213) 947-1211

Levik Yarian (State Bar No. 213818)
lyarian@ypllp.com
Allen Patatanyan (State Bar No. 210586)
apatatanyan@ypllp.com
YARIAN & PATATANYAN, LLP
1511 W. Glenoaks Boulevard
Glendale, California 91202
Telephone: (818) 543-7075
Facsimile: (818) 543-3271

Michael Gould (State Bar No. 151851)
michael@wageandhourlaw.com
Aarin A. Zeif (State Bar No. 247088)
aarin@wageandhourlaw.com
GOULD & ASSOCIATES
17822 East 17th Street, Suite 106
Tustin, California 92780
Telephone: (714) 669-2850
Facsimile: (714) 544-0800

Attorneys for Plaintiffs Gary Minor, Banipal
Shabaz, Narek Eloyan, Shehan Bederian,
and Michael Macias

STIPULATION

Plaintiffs Gary Minor, Banipal Shabaz, Narek Eloyan, Shehan Bederian and Michael Macias (collectively “Plaintiffs”) and Defendant FedEx Office and Print Services, Inc. (“Defendant”) (collectively “the Parties”), stipulate and agree as follows:

WHEREAS, on December 12, 2011 the Parties had a full day mediation session with private mediator Michael Dickstein, Esq. in San Francisco, California, at which the Parties were not able to settle the case but agreed to continue settlement discussions;

WHEREAS, the Parties since the last mediation session continued settlement discussions through mediator Dickstein as well as through direct discussions;

WHEREAS, on April 11, 2012, the Parties reached a settlement in principle in this matter based on the general terms discussed at the mediation and based on further discussions and proposals made by the Parties and by mediator Dickstein and have executed a binding Memorandum of Understanding resolving this matter on a class-wide basis;

WHEREAS, this case currently is scheduled for a Case Management Conference on April 16, 2012 (“the Case Management Conference”);

WHEREAS, the Parties previously requested and were granted an extension of the Case Management Conference to allow for settlement discussions to take place including the December 12, 2011 mediation, which has now resulted in the settlement of this matter;

WHEREAS, the Parties, accordingly, believe it would conserve judicial resources and promote efficiency to vacate the Case Management Conference in light of the resolution of this case;

WHEREAS, the Parties have agreed that Plaintiffs’ Motion for Preliminary Approval Class Action Settlement shall be filed on or before August 1, 2012, and shall be set for hearing in accord with the Local Rules and based on the availability of the Court;

WHEREAS, there is no trial date set for this case;

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1 **IT IS HEREBY STIPULATED** by the Parties herein, through their counsel of record,
2 as follows:

3 The Case Management Conference shall be vacated and Plaintiffs' Motion for
4 Preliminary Approval of Class Action Settlement shall be filed on or before August 1, 2012.

5
6 DATED: April 12, 2012

LAW OFFICES OF PETER M. HART

7
8 By: /s/ Amber S. Healy
Peter M. Hart
9 Amber S. Healy
Attorney for Plaintiffs

10
11 DATED: April 12, 2012

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

12
13 By: /s/ Thomas McInerney
14 Thomas McInerney
15 Gregory C. Cheng
16 Attorneys for Defendant FEDEX OFFICE AND
PRINT SERVICES, INC

17
18 **[PROPOSED] ORDER**

19
20 The parties having so stipulated, and GOOD CAUSE APPEARING THEREFORE, IT
21 IS HEREBY ORDERED that:

22 The Case Management Conference set for April 16, 2012, at 1:30 p.m. is VACATED.
23 Plaintiffs' shall file their Motion for Preliminary Approval for Class Action Settlement
24 on or before August 1, 2012.

25
26
27 DATED: _____

Hon. Thelton E. Henderson
Judge, United States District Court